
STATES OF JERSEY



STATES EMPLOYMENT BOARD: ANNUAL REPORT 2011

**Presented to the States on 16th April 2012
by the States Employment Board**

STATES GREFFE

REPORT

1. The Constitution of the Board

- 1.1 The Board from 1st January 2011 until 13th November 2011 consisted of the following members –

Senator T.A. Le Sueur, Chief Minister (Chairman)
 Connétable M.K. Jackson of St. Brelade, Minister for
 Transport and Technical Services
 Connétable J.M. Refault of St. Peter, Assistant Minister for
 Treasury and Resources
 Connétable D.W. Mezbourian of St. Lawrence
 Deputy D.J. De Sousa of St. Helier.

- 1.2 From 24th November 2011, following the election of members to the States of Jersey, the Board was constituted as below –

Senator I.J. Gorst, Chief Minister (Chairman)
 Deputy A.K.F. Green, M.B.E., of St. Helier, Minister for
 Housing
 Deputy E.J. Noel of St. Lawrence, Assistant Minister for
 Treasury and Resources
 Connétable D.W. Mezbourian of St. Lawrence
 Deputy J.M. Le Bailly of St. Mary.

2. The number of meetings held during the year

- 2.1 In 2011, there were 26 meetings of the Board, of which 6 were conducted by electronic means (e-mail).
- 2.2 During 2011, 3 appeals by manual workers were heard by members of the Board. None of these appeals were upheld.

3. A summary of key matters considered by the Board in 2011

- 3.1 *Voluntary and Compulsory Redundancy Scheme Revision*

The Board gave consideration to revising the Voluntary and Compulsory Redundancy terms after consultation with the trade unions. In January 2011, new VR/CR terms for 2011 were agreed.

- 3.2 *Termination and replacement of the Chief Executive*

- (i) The Board agreed that the exit of the Chief Executive should be conducted on the terms expressed in the contract of employment following advice from the Law Officers.
- (ii) The Board endorsed the replacement of the CE on an interim basis following a competitive recruitment process, pending review of the workings of ministerial government and the roles and responsibilities of Ministers and civil servants.

3.3 *Recruitment and Retention of Registered Nurses and Midwives*

- (i) This issue was the subject of several discussions between the SEB and Health and Social Services Department in 2011.
- (ii) Additional funds were provided to Health and Social Services to support the agreed initiatives to address recruitment and retention issues.

3.4 *Prison Officers – Operational restructuring*

The SEB considered a number of reports regarding the restructuring of Prison Officer grading culminating in a 5 year agreement with the Jersey Prison Service Association from January 2011 to 31st December 2015.

3.5 *Comprehensive Spending Review – Review of terms and conditions of service*

- (i) The Board received a number of reports on the Comprehensive Spending Review and relating to the need to achieve savings of £14 million on staff costs (identified by the Tribal Report in 2010) over the period up to and including 2014.
- (ii) The Board was regularly updated as to the progress of discussions held with Trades Union representatives regarding elements of proposed review including pay and reward, allowances, and policy and procedures.
- (iii) Towards the end of 2011, the Board became of the opinion that whilst savings might be achieved through pay constraint, this would not by itself achieve modernisation of reward and employment practices in the public service.

3.6 *Modernisation of the Public Service*

- (i) The Board was minded to endorse the approach for a modernisation programme presented by the Director of Human Resources, which would pursue service redesign, workforce development and cultural change in accordance with the following overarching objectives –
 - Improving quality and efficiency;
 - Reduced net cost;
 - Focus on core competence;
 - Training and Development;
 - Alignment with the themes of the new Strategic Plan, requiring Reform of the Public Sector; and
 - Retention of jobs.

- (ii) The Board endorsed the key elements of the programme and aims which support equal value principles and which would include –
- Modernised role profiles;
 - Rationalised pay spines;
 - Competency framework;
 - Improved performance management;
 - Application of a proportionate reward strategy, including performance-related pay for senior managers;
 - Workforce flexibility and career mobility;
 - Succession planning.
- (iii) The Board agreed to the core objectives of the programme which would form the basis of a modernisation work plan for 2012.

3.7 *Pensions*

- (i) The Board received reports on and considered a number of matters in relation to Pensions, Public Employees Contributory Retirement Scheme (PECRS) –
- Admitted Body Status;
 - Noted reduction of pension increases under the Act of the States dated 11th July 1972;
 - Managing surplus valuation;
 - Trivial pensions (less than £104 per annum);
 - High level pension scheme design;
 - Prison Officers restructuring;
 - Amendment for civil partnerships;
 - Medical retirements – delegation of functions.
- (ii) For the Jersey Teachers Superannuation Fund (JTSF), the SEB considered an amendment to the Regulations for admitted schools.

3.8 *Pay and Remuneration over £100,000 (P.59/2011)*

- (i) Following presentation and endorsement by the States Assembly of P.59/2011 entitled: ‘Salaries over £100,000: process for review and scrutiny’, the Board approved both guidance and process for approval of salaries of public servants whose remuneration was £100,000 or more.
- (ii) As part of acceptance of the proposals, the Board has agreed that a review of Senior Pay and Grading should be carried out in line with the requirements of the proposition.

- (iii) A report covering the first 6 months of applications to the Board under this proposition was presented to the States on 9th March 2012 (see Appendix 2 to this Report).

3.9 *Public Sector Salaries*

The Board endorsed a report for presentation to the States Assembly entitled 'States Employees' Remuneration: 2010', which was presented to the States on 7th June 2011, the same day as the States of Jersey Financial Report and Accounts 2010.

3.10 *Right to representation*

- (i) The Board presented comments to the States on 5th July 2011 in relation to the proposition entitled: 'Disciplinary and grievance hearings: right to a friend' (P.112/2011), opposing it, on the grounds that current practice within the States of Jersey was already fully compliant with Article 6 of the European Convention on Human Rights.
- (ii) The Board maintained its opposition to P.112/2011 pending further consultation with stakeholders (this was undertaken by the Jersey Employers' Forum during the latter part of 2011 and early 2012). P.112/2011 was rejected by the States after debate on 1st November 2011.

3.11 *Right to Appeal*

- (i) The Board considered the matter of right to appeal to the SEB which was not consistent across different staff groups. The current policy on rights of appeal to the Board was being reviewed as part of a wider review of Human Resources policies.
- (ii) Further discussion on this matter is expected as part of the 2012 work plan.

3.12 *Jersey Appointments Commission*

- (i) The Board endorsed the terms of office for membership of the Commission in accordance with Article 18(2) of the Employment of States of Jersey Employees (Jersey) Law 2005, enabling the re-appointment of Mr. K. Soar.
- (ii) The Board received the Annual Report of the Commission and agreed that the Chief Minister should present the finalised report to the States Assembly.
- (iii) The Board received the report on the Recruitment Code, guidance on senior recruitment and the Code of Practice on Appointments to Quangos and Tribunals endorsing final drafts for publication.

3.13 *Health and Safety*

- (i) The Board endorsed the concurrent departmental status review and the development of a revised health and safety policy and its associated Safety Management System.
- (ii) It is noted that further work on this matter will be presented to the Board in 2012.

3.14 *Suspensions and the Memorandum of Understanding*

- (i) The Board received a report summarising the management of suspensions over the period from 2006 to 2010. This noted a downward trend in the number of suspensions during that period. This continued into 2011 when it was recorded that the number of suspensions at year end (2) was a third of the number recorded as suspended at the end of 2010 when 6 people were suspended.
- (ii) The SEB endorsed a revised code of practice regarding the management of suspensions and sustained a regular, rigorous review of all suspensions throughout 2011.
- (iii) With regard to the Memorandum of Understanding (an agreement to review persons excluded or suspended from duty as a result of potentially concurrent internal disciplinary and criminal investigatory procedures), the Board endorsed the use of this forum as an effective and appropriate means of reviewing and managing such cases.

3.15 *Housing Transformation Programme*

- (i) The Board received reports regarding the proposals for the new Housing Transformation Project and further update on the transition progress. The proposals were outlined in response to the Green Paper entitled: 'A Review of Social Housing in Jersey' published in 2010. The proposals covered options which envisaged the creation of a new strategic housing function, a new affordable housing regulator and a new, wholly States owned social housing management organisation operating at arm's length.
- (ii) The Board also encouraged consultation with staff and trades union representatives, regarding the proposals.

3.16 *Ports Authority*

- (i) The SEB considered a report on the "Integration of Jersey Airport and Jersey Harbours: Internal Restructuring".

- (ii) The Board noted and endorsed management actions undertaken by the Group Chief Executive Officer for Airports and Harbours in accordance with the Minister for Economic Development to pursue integration of Jersey Airport and Harbours.

3.17 *Bullying and Harassment Policy and Report*

- (i) The Board received a report on the operation of the Bullying and Harassment policy and recognised that, whilst it appeared to be operating effectively it should be kept under review to ensure all incidents would be appropriately and effectively managed.
- (ii) It was confirmed that formal complaints made under the policy would always be investigated and that such an allegation would usually be given priority if it was made before any management action had commenced under disciplinary, capability or attendance policies.

3.18 *Severance Payments and compromise agreements*

- (i) The Board reviewed the matter of termination/severance payments and compromise agreements that were associated with them.
- (ii) (This work was completed in the early part of 2012.)

4. Miscellaneous matters

4.1 The Board considered a number of miscellaneous matters, including the following –

- Manual Workers' Joint Council nominations;
- Jersey Air Traffic Control restructuring of Air Traffic Engineers;
- Pathology Laboratory on-call arrangements;
- ETSS Pay Group transfer from Manual Workers to Civil Service Pay Group;
- Middle-grade doctors new salary/grade structure;
- Human Resources function review (part of 2012 work plan);
- Alternate Service provision (part of 2012 work plan);
- Chief Fire Officer appointment – succession planning.

5. Key Manpower Statistics

5.1 Attached at Appendix 1 are key manpower statistics for 2011.

APPENDIX 1

Key Manpower Statistics

Headcount (the number of people actually in post as at 31st December 2011): **6,726**

DEPARTMENT	December 2011 Actual excluding multiples in Departments
Chief Minister's Department	205
Non-Executive Departments	221
Treasury and Resources	229
Economic Development	63
Department of Environment	115
Transport and Technical Services	482
Health and Social Services	2,613
Education, Sport and Culture	1,928
Home Affairs	665
Social Security	146
Housing	41
TOTAL	6,754
Less multiple appointments across Departments	-28
Total reported actual December 2011	6,726

“J” Category Employees (the number of employees, as at 31st December 2011, with a “J” Category Housing Licence) –

Staff Grouping	Number
Civil Servants	142
Manuels	0
Health and Social Services	279
Education	108
Uniformed Services	11
Others	6
Total	546

Non-locally qualified employees (the number of employees, as at 31st December 2011, non-locally qualified under the Regulation of Undertakings and Development (Jersey) Law 1973 (see Revised Edition chapter 05.750 as at 1st January 2006)): 98 less than 1.5% of headcount.

Sickness Absence 2011

Percentage of total possible days lost to sickness absence:	4.02%
Average number of days lost to sickness per employee:	8.92 days
Ratio of certified to uncertified absence:	71/29%

Turnover 2011

(The movement out of established posts)

Internal movements (between States Departments):	1.08%
External movements (leaving States employment):	11.0%
Total turnover during 2011:	12.08%

STATES OF JERSEY



**STATES EMPLOYMENT BOARD:
APPLICATIONS UNDER P.59/2011 –
ACTIVITY REPORT FOR THE PERIOD
JUNE TO DECEMBER 2011**

Presented to the States on 9th March 2012
by the States Employment Board

STATES GREFFE

2012

Price code: A

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REPORT

Background

In response to the adoption by the States of P.59/2011, which requires a quarterly report to be submitted to States members, this report outlines the work that has been carried out in this area. This is the first report, having allowed for the procedures to become established and changes in the States Employment Board (SEB) membership in the latter part of 2011; and from now on will revert to quarterly reporting.

P.59/2011 identified the need for a process to be used when all posts at Civil Service Grade 15 equivalent and above are to be replaced, or where there is a significant change to an existing senior post that fits into this category. This process has now been in place since June 2011.

Departments are required to lodge P.59/2011 requests for formal approval to the SEB, and where recruitment to a post is necessary this cannot be undertaken until SEB approval has been given. The Jersey Appointments Commission has been appropriately engaged in recruitment to these posts once approval has been given by the SEB. The SEB has been mindful of the need to ensure adequate provision is made for succession planning when giving approval to applications.

Each P.59/2011 application has to be supported by a full job description, person specification, organisation chart and, where appropriate, a current job evaluation. Salary data, including any benchmarking data, is provided to ensure informed approval is made by the SEB.

Activity Report June – December 2011

In this period a total of 15 applications under P.59/2011 were made to the SEB for approval (see attached table for reference and detail). There were no applications in November or December. Fourteen applications were approved and one was refused.

Appointments were made in all instances within the approved salary range. All applications, with the exception of one, were existing posts, and only one was a new post, albeit created from the amalgamation of 2 existing posts.

In terms of method of appointment, 11 were recruited externally, 8 of these being additionally advertised in the U.K. One application was an existing appointment where the job role was re-evaluated and a new salary applied; 3 others were filled by internal candidates.

The rationale for payment in all cases was based on current job evaluation, relevant benchmarking information and prevailing market forces.

The SEB has requested that an analysis is undertaken of all applications received under P.59/2011 since the process was introduced, specifically to review succession planning, senior manager compensation structure, performance-related pay (PRP) and retention and recruitment planning (RRP). The purpose of this is to ensure there is a rebalance of recruitment off-Island against development of local talent. The review is due to report back to the SEB by July 2012.

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APPENDIX

Department	Job Title	Approved Salary Range	Rationale for Submission	Approved Y/N	Method of Appointment (JAC's Approved)	Date considered by SEB
Chief Minister's	Health and Social Services HSG – Senior Manager	£81,531 – £98,251	Existing post, new appointment	Y	External Recruitment	30 September 2011
Chief Minister's	Assistant Law Draftsman	£100,442 – £109,394	Additional post for a 2 year period to cover heavy demand on service	Y	External Recruitment	30 September 2011
Chief Minister's	Assistant Law Draftsman	£100,442 – £109,394	Additional post for a 2 year period to cover heavy demand on service	Y	External Recruitment	26 July 2011
Chief Minister's	Director of HR – States of Jersey	£120,000 – £130,000	Existing post, new appointment	Y	External Recruitment	01 July 2011
Chief Minister's	Director of Employment Relations	£95,000 – £105,000	Re-evaluation of existing post (reduction)	Y	External Recruitment	28 October 2011
Chief Minister's	HSSD Human Resources Director	£95,000 – £105,000	Re-evaluation of existing post, new appointment	Y	External Recruitment	01 July 2011
Health and Social Services	Director of Operations	£83,018 – £100,499	Re-evaluation of post on restructuring	Y	Internal appointment	26 July 2011
Health and Social Services	Medical Officer of Health	£74,504 – £135,930 + 2% one-call payment and DPH supplement (max. £158,957)	Existing position, new appointment	Y	Internal Appointment	26 July 2011
Health and Social Services	Finance Director	£100,000 – £120,000	Existing post, new appointment	Y	Internal appointment	03 August 2011
Health and Social Services	Interim Finance Director	£850 p.a.	Interim cover for existing post	N	External recruitment	14 June 2011
Health and Social Services	Director of System Redesign & Delivery	£100,000 – £120,000	New post, new appointment	Y	External Appointment	23 August 2011
Health and Social Services	Assistant Specialist – Acute Medicine & Gastroenterology	£86,145 – £112,777	Re-evaluation of existing post, new appointment	Y	External Recruitment	23 August 2011
Health and Social Services	Staff Grade in Anaesthetics x 2 posts	£58,259 – £106,362	Existing post, new appointment	Y	External Recruitment	30 September 2011
Health and Social Services	Staff Grade – General Surgery	£64,906 – £118,497	Existing post, new appointment	Y	External Recruitment	23 August 2011
Housing	Chief Officer	£113,010	Re-evaluation of existing post	Y	Existing Appointment, no recruitment	23 August 2011

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Breakdown by number of P.59/2011 applications to SEB 2011	
Month	Number of P.59/2011 applications made to SEB
June	1
July	5
August	5
September	3
October	1
November	0
December	0
TOTAL:	15

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